

ATTACHMENT A

U.S. Department of Justice
Bureau of Alcohol, Tobacco, Firearms and Explosives

Report of Investigation

Title of Investigation:
SANDOVAL, ANETH

Investigation Number:
[REDACTED]

Report Number:
[REDACTED]

SUMMARY OF EVENT:

On October 29, 2018, ATF Task Force Officer (TFO) [REDACTED] and Special Agent [REDACTED] hereinafter referred to as UC-1 and UC-2, purchased three Glock pistols and an AR 15 rifle from PEREZ-HERRERA, Marlon.



NARRATIVE:

1. From October 26-29, 2018, [REDACTED] had phone contacts with PEREZ-HERRERA at (510-927-5893). The following is a summary of the text conversations between UC-1 and PEREZ-HERRERA. (see attached text message information for details)

a. October 26:

- i. On this date, PEREZ-HERRERA and UC-1 exchanged phone contacts (text messages: 12:44pm) regarding firearms for sale. UC-1 sent a text message to PEREZ-HERRERA asking about a 10mm Glock and an Auto Switch. PEREZ- HERRERA responded to the text and told UC-1 he was trying to make it happen. PEREZ_ HERRERA sent UC-1 a text message stating that he had a Gen 4 Glock 17 to sell for \$1600. PEREZ-HERRERA sent the following text photograph:



Prepared by: [REDACTED]	Title: Task Force Officer, Oakland Field Office	Signature: 	Date: 11-6-18
Authorized by: Thomas M. Cleary	Title: Resident Agent in Charge, Oakland Field Office	Signature: 	Date: 11-7-18
Second level reviewer (optional): Rayfield Roundtree	Title: Special Agent in Charge, San Francisco Field Division	Signature:	Date:

Title of Investigation:
SANDOVAL, ANETH

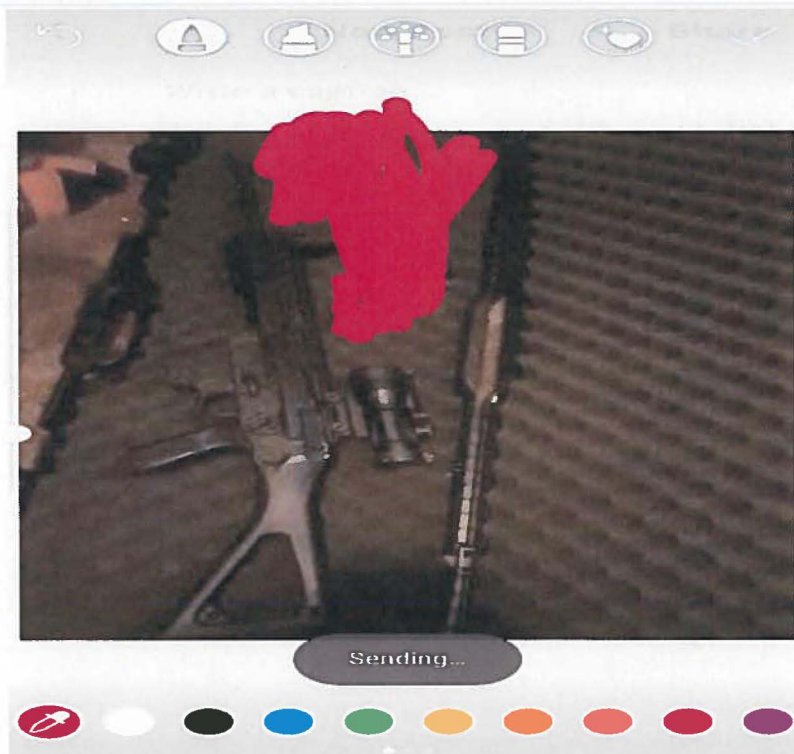
Investigation Number:
[REDACTED]

Report Number:
[REDACTED]

- ii. At approximately 12:58pm, UC-1 responded to the above photograph from PEREZ-HERRERA by asking for a cheaper price if UC-1 purchased several Auto Switches along with the firearm. PEREZ-HERRERA responded by telling the UC-1 his source with the Auto Switches was in New York and he would see about getting the Glock 10mm for UC-1. UC-1 informed PEREZ-HERRERA that UC-1 wanted to purchase the firearm pictured above and that UC-1 would meet up with PEREZ-HERRERA on Monday to conduct the transaction.

b. October 27:

- i. At approximately 5:08pm, PEREZ-HERRERA sent a text to UC-1 to let the UC know that the firearm pictured above had been sold but his source will be getting more firearms Monday. UC-1 responded via text and asked PEREZ-HERRERA to let the UC know what type of firearms he had. At approximately 5:59pm, PEREZ-HERRERA sent a text to UC-1 informing the UC of a Sig Sauer rifle his source had for sale. PEREZ-HERRERA sent UC-1 the following text photograph:



- ii. At approximately 10:23pm, UC-1 sent a text message to PEREZ-HERRERA asking him to hold the Sig Sauer rifle so that UC-1 could purchase it on Monday. PEREZ-HERRERA agreed to hold the rifle for Monday.

Title of Investigation:
SANDOVAL, ANETH

Investigation Number:
[REDACTED]

Report Number:
[REDACTED]

c. October 28:

- i. At approximately 9:38am, PEREZ-HERRERA sent UC-1 a text message informing the UC of an AR 15 rifle for sale. PEREZ-HERRERA sent UC-1 the following text photograph:



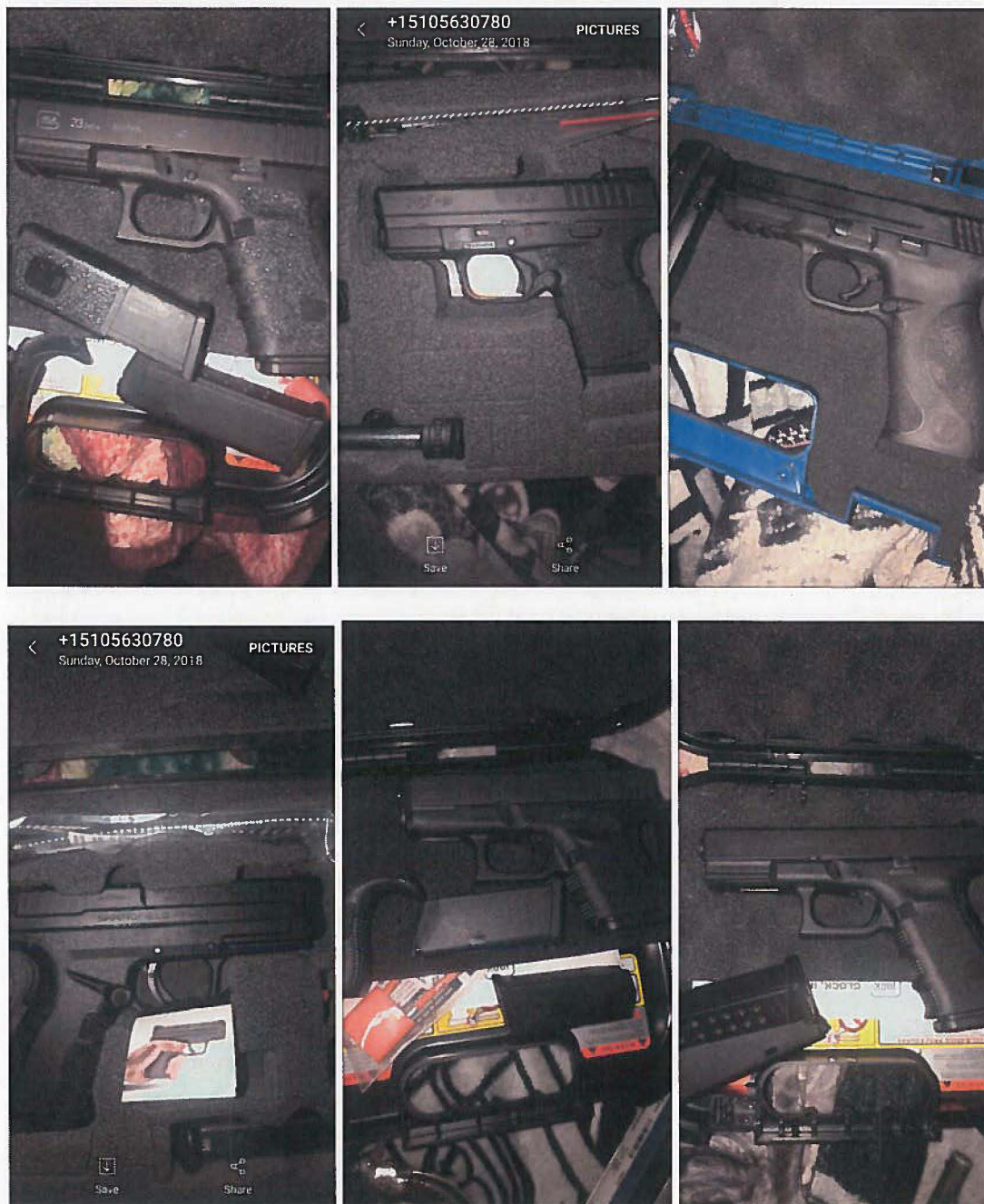
- ii. PEREZ-HERRERA text UC-1 \$1650 for the price of the AR 15 rifle pictured above. UC-1 agreed to the price and informed PEREZ-HERRERA the UC would be in town around 5 pm. PEREZ-HERRERA confirmed with UC-1 that the UC wanted the Sig Sauer rifle and the AR 15 rifle. UC-1 advised PEREZ-HERRERA that the UC wanted both rifles and would meet up with PEREZ-HERRERA the following day.

Title of Investigation:
SANDOVAL, ANETH

Investigation Number:
[REDACTED]

Report Number:
[REDACTED]

- iii. At approximately 11:56pm, PEREZ-HERRERA sent UC-1 a text message informing the UC that he had a Glock 26 with an Auto Switch for sale for \$1550. PEREZ-HERRERA also indicated that a shipment had come in and those handguns were \$1250 a piece. PEREZ-HERRERA sent UC-1 the following text photographs:



Title of Investigation:
SANDOVAL, ANETH

Investigation Number:
[REDACTED]

Report Number:
[REDACTED]

d. October 29:

- i. At approximately 10:52am, UC-1 text a response to PEREZ-HERRERA's text from October 28, 2018. UC-1 text PEREZ-HERRERA of the UC's intention to purchase the AR 15, Sig Sauer rifle and the Glock 26 with the Auto Switch. UC-1 told PEREZ-HERRERA the UC would see if the UC's partner (UC2) wanted to purchase the other firearms pictured above.
- ii. At approximately 10:58am, PEREZ-HERRERA text UC-1 to inform the UC that he had the AR 15 and the Glock 26 to sell but he would have to check with his source to see if the Sig Sauer rifle was also available. UC-1 responded and asked PEREZ-HERRERA to check and see if the Glock's were available for UC2.
- iii. At approximately 11:15am, PEREZ-HERRERA text UC-1 and informed the UC that he had a Glock 23 and Glock 19 for UC2 for \$2500. UC-1 confirmed that the UC was purchasing an AR 15 and a Glock with an Auto Switch. UC-1 also asked PEREZ-HERRERA if he was able to get the Sig Sauer rifle. PEREZ-HERRERA told UC1 that he would check with his source. UC-1 and PEREZ-HERRERA agreed to meet at 5:00pm.
- iv. At approximately 3:51pm, PEREZ-HERRERA text UC-1 that he was unable to get the Sig Sauer rifle but the AR 15 and Glock 26 were still available. UC-1 asked if he still had the two Glock pistols for UC-2. PEREZ-HERRERA replied that he did. UC-1 confirmed the price of \$3200 for the AR 15 and Glock with an Auto Switch and \$2500 for the two Glock pistols for UC2. PEREZ-HERRERA confirmed the purchase amount and UC-1 informed PEREZ-HERRERA that he would text him when the UC was twenty minutes away from the meet location.

2. On October 29, 2018, [REDACTED] (UC-1) and Special Agent [REDACTED] (UC-2) met with PEREZ-HERRERA and purchased three Glock pistols and an AR 15 rifle from him. [REDACTED] and [REDACTED] were acting in an undercover capacity (UC) and operating an ATF undercover (UC) vehicle during this operation. [REDACTED] and [REDACTED] were equipped with a transmitter and recorder (audio/video) for safety and evidence documentation purposes. Prior to the operation, [REDACTED] and [REDACTED] were provided with U.S. currency to purchase firearms from PEREZ-HERRERA.
3. The following is a summary of the operation based on [REDACTED] (UC-1) observations and a review of electronic surveillance evidence: (see ES-34, 35 and 36 and text message information for details)
 - a. At approximately 5:05pm, UC-1 text PEREZ-HERRERA that the UC was twenty minutes from the meet location. PEREZ-HERRERA responded by texting the UC that they should arrive at the same time.
 - b. At approximately 5:23pm, PEREZ-HERRERA text UC-1 and asked how far the UC was from the meet location. UC-1 responded by texting the UC was at the meet location.
 - c. At approximately 5:26pm, UC-1 and UC-2 observed a gray Toyota Tacoma (CA License #79769J2) in the parking lot parked approximately 50 yards from the UC vehicle. UC-1 observed two unidentified Hispanic Males (LNU, FNU 1 and LNU, FNU 2) in the driver's seat and front passenger seat. LNU, FNU 1, who was seated in the driver's seat, was later identified as [REDACTED]. A short time later UC-1 observed a burgundy Chevrolet SUV (CA License #5ASK033) park next to the gray Toyota Tacoma. UC-1 watched PEREZ-HERRERA get out of the passenger seat of the vehicle and into the rear passenger seat of the gray Toyota Tacoma. The gray Toyota Tacoma then drove over to the UC vehicle and parked on the left side of the UC vehicle. (Reference [REDACTED])

Title of Investigation:
SANDOVAL, ANETH

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- d. At approximately 5:36pm, UC-1 exited from the UC vehicle and greeted PEREZ-HERRERA at the rear passenger door of the gray Toyota Tacoma. PEREZ-HERRERA asked UC-1 for a bag. UC-1 gave PEREZ-HERRERA a bag and he returned to the gray Toyota Tacoma. UC-2 stood next to the rear passenger door of the Toyota Tacoma as PEREZ-HERRERA placed three Glock gun boxes into a bag. UC-2 returned to the UC vehicle and PEREZ-HERRERA got into the Tacoma and closed the door. A short time later PEREZ-HERRERA returned to the UC vehicle with three Glock gun boxes in a bag. PEREZ-HERRERA showed UC-1 the Glock 26 and the Auto Switch. PEREZ-HERRERA then showed UC-2 the other two Glock's. As PEREZ-HERRERA sat in the back seat of the UC vehicle UC-1 and UC-2 noticed a black Cadillac Escalade (CA License #4VIN749) park on the right side of the UC vehicle. UC-1 watched as LNU, FNU 2 got out of the front passenger seat of the Toyota Tacoma with a backpack and walk over to the Cadillac Escalade.
 - e. A short time later PEREZ-HERRERA returned to the UC vehicle with the AR 15 in a bag. PEREZ-HERRERA removed the AR 15 from the bag and the UC-1 and UC-2. UC-1 paid PEREZ-HERRERA \$3200 for the AR 15 and Glock pistol with and Auto Switch. UC-2 paid PEREZ-HERRERA \$2500 for the two Glock pistols. UC-1 and PEREZ-HERRERA discussed future firearms sales and PEREZ-HERRERA exited the UC vehicle.
4. Shortly after, UC-1 and UC-2 departed the area.
 5. At the conclusion of the operation, UC-1 transferred the evidence items to SA Brandon May. The items were later entered into evidence at the ATF Oakland Field Office. (See ROI #XX for details)
 6. It should be noted that the above information is not intended to be an exact transcript of the conversations that occurred during the recorded contacts. For the exact conversation, please refer to the electronic surveillance (ES) recordings.
 7. All audio/video recordings were placed on disk and later entered into evidence at the ATF Oakland Field Office. (Property Items: ES-34, 35 and ES-36)
 - a. Property Item 34: One DVD containing the recorded purchase of three Glock handguns and an AR 15 from PEREZ-HERRERA on October 29, 2018. (Body 1)
 - b. Property Item 35: One DVD containing the recorded purchase of three Glock handguns and an AR 15 from PEREZ-HERRERA on October 29, 2018. (Body 2)
 - c. Property Item 36: One DVD containing the recorded purchase of three Glock handguns and an AR 15 from PEREZ-HERRERA on October 29, 2018. (Vehicle)

Attachments:

Text Message Details

Text Message Photographs

Detail for [REDACTED]

Date	Time	Number	Type	Direction	Content	Min.	File Name	MD5 Hash
2018/10/26	12:44:13 PM	PD1510-927-5893	SMS	Outgoing	What's up with that 10 mili. IMO get those long joints off tomorrow. Can you get that and a switch on Monday.		2018-10-26_12-44-13_PDT.txt	
2018/10/26	12:46:35 PM	PD1510-927-5893	SMS	Incoming	Ima try and make that happen ima tap in		2018-10-26_12-46-35_PDT.txt	
2018/10/26	12:46:55 PM	PD1510-927-5893	SMS	Outgoing	Coo		2018-10-26_12-46-55_PDT.txt	
2018/10/26	12:54:52 PM	PD1510-927-5893	SMS	Incoming	Got this gen 4 g17 .9mm for 1600		2018-10-26_12-54-52_PDT.txt	
2018/10/26	12:54:57 PM	PD1510-927-5893	MMS	Incoming			2018-10-26_12-54-57_PDT_1.jp	6a718abb186649a9d3b305adf38c4df5
2018/10/26	12:58:45 PM	PD1510-927-5893	SMS	Outgoing	That's a little high. Can you get some switches and get me a package deal		2018-10-26_12-58-45_PDT.txt	
2018/10/26	01:01:01 PM	PD1510-927-5893	SMS	Incoming	That 80 percent too my boi with the switch in N.Y. right now ima see when he coming back ima hit bruh with the ten milli again he was carting off		2018-10-26_13-01-01_PDT.txt	
2018/10/26	01:06:12 PM	PD1510-927-5893	SMS	Outgoing	Cool. Lock me in for that camo joint and let me know if u touching something else. We'll link up Monday		2018-10-26_13-06-12_PDT.txt	
2018/10/26	05:08:42 PM	PD1510-927-5893	SMS	Incoming	They came and snatched up the camo thang right now more shit coming in Monday		2018-10-26_17-08-42_PDT.txt	
2018/10/26	05:11:04 PM	PD1510-927-5893	SMS	Outgoing	Cool. Just let me know what u got on line		2018-10-26_17-11-04_PDT.txt	
2018/10/27	05:59:06 PM	PD1510-927-5893	SMS	Incoming	My boi letting go of his sig chop for 1600 that mf look militant		2018-10-27_17-59-06_PDT.txt	
2018/10/27	06:01:27 PM	PD1510-927-5893	MMS	Incoming			2018-10-27_18-01-27_PDT_1.pr	a8ddd016b4fbb4b1e89541313cf092c8
2018/10/27	10:23:16 PM	PD1510-927-5893	SMS	Outgoing	Tell ya boi to hold that and I scoop that on Monday		2018-10-27_22-23-16_PDT.txt	
2018/10/27	10:23:52 PM	PD1510-927-5893	SMS	Incoming	Fosho it's good ima tell him rn		2018-10-27_22-23-52_PDT.txt	
2018/10/27	10:24:22 PM	PD1510-927-5893	SMS	Outgoing	That's shits sweet. Lock me in		2018-10-27_22-24-22_PDT.txt	

Detail for [REDACTED]

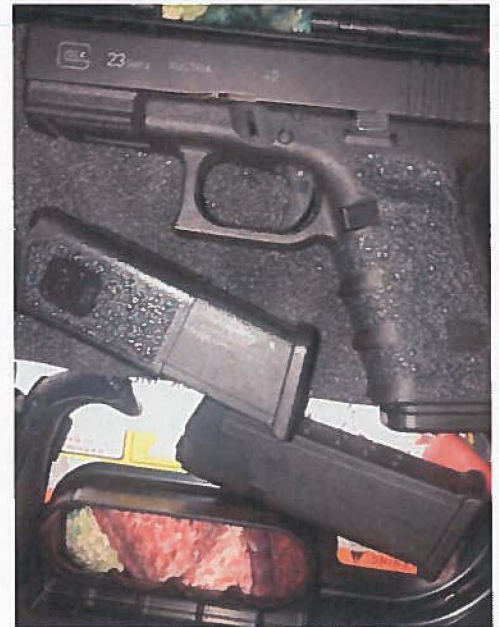
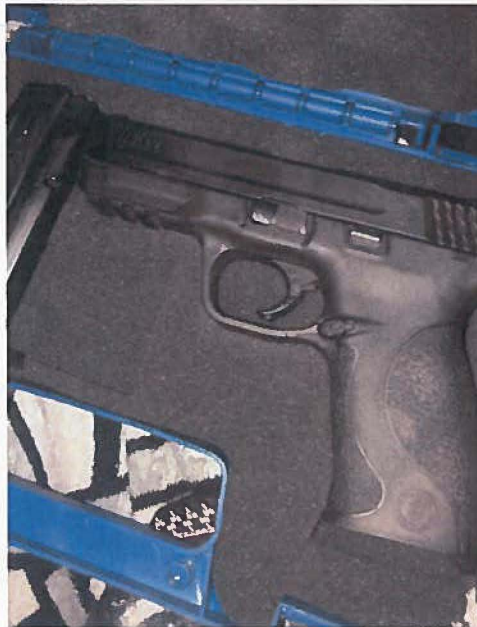
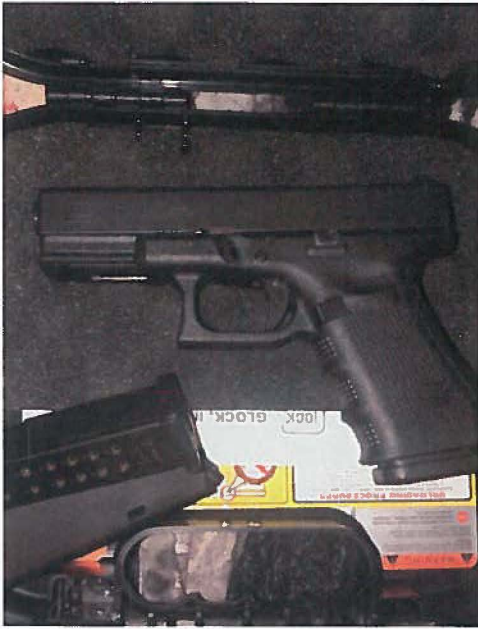
Date	Time	Number	Type	Direction	Content	Min.	File Name	MD5 Hash
2018/10/28	09:38:23 AM	PD1510-927-5893	SMS	Incoming	That a r coming in tommorow idk the price once it touch down I'll let u know		2018-10-28_09-38-23_PDT.txt	
2018/10/28	09:39:16 AM	PD1510-927-5893	MMS	Incoming			2018-10-28_09-39-16_PDT_1.jp	72692681fb5dc2185bc9a48e516259cc
2018/10/28	11:09:31 AM	PD1510-927-5893	SMS	Outgoing	Cool let me know		2018-10-28_11-09-31_PDT.txt	
2018/10/28	01:20:45 PM	PD1510-927-5893	SMS	Incoming	1650 for the a r it still got the tag on it fresh fresh		2018-10-28_13-20-45_PDT.txt	
2018/10/28	01:23:02 PM	PD1510-927-5893	SMS	Outgoing	I'm good. I can't get there till bout 5.		2018-10-28_13-23-02_PDT.txt	
2018/10/28	01:24:21 PM	PD1510-927-5893	SMS	Incoming	So u good off the a r u want it?		2018-10-28_13-24-21_PDT.txt	
2018/10/28	01:24:50 PM	PD1510-927-5893	SMS	Outgoing	Yeah. Lock me in		2018-10-28_13-24-50_PDT.txt	
2018/10/28	01:25:52 PM	PD1510-927-5893	SMS	Incoming	Fosho so I got that sig chop ready for u and the A r coming in tommorow in the morning I'll txt u once they touch down		2018-10-28_13-25-52_PDT.txt	
2018/10/28	01:28:47 PM	PD1510-927-5893	SMS	Outgoing	Cool. If I can make it in earlier I'll hit u up		2018-10-28_13-28-47_PDT.txt	
2018/10/28	01:29:24 PM	PD1510-927-5893	SMS	Incoming	It's all good let me know		2018-10-28_13-29-24_PDT.txt	
2018/10/28	11:56:38 PM	PD1510-927-5893	SMS	Incoming	All coming in the g26 comes with a switch they want 1550 that's the baby glock the rest of em 1250		2018-10-28_23-56-38_PDT.txt	
2018/10/28	11:56:47 PM	PD1510-927-5893	MMS	Incoming			2018-10-28_23-56-47_PDT_1.jp	69f98dd4d96cb7fb2ef4bb0a7f5fc161
2018/10/28	11:56:54 PM	PD1510-927-5893	MMS	Incoming			2018-10-28_23-56-54_PDT_1.jp	35127f06c98bdfbad5894b7093d784bf
2018/10/28	11:56:55 PM	PD1510-927-5893	MMS	Incoming			2018-10-28_23-56-55_PDT_1.jp	1f4acc90bc6f13cd3e2773829f8d2e2d
2018/10/28	11:57:00 PM	PD1510-927-5893	MMS	Incoming			2018-10-28_23-57-00_PDT_1.pr	5df30e71f5b8a20ee35a74d5bcbda71b
2018/10/28	11:57:03 PM	PD1510-927-5893	MMS	Incoming			2018-10-28_23-57-03_PDT_1.pr	a4d0f2b0c91458362f34ad0e8f705c5a
2018/10/28	11:57:06 PM	PD1510-927-5893	MMS	Incoming			2018-10-28_23-57-06_PDT_1.pr	6deabfaf3b5c92c3f3cc32f3fb1ec98b
2018/10/29	10:52:38 AM	PD1510-927-5893	SMS	Outgoing	I'm good for the ar and sig chop. I want the g26 with a switch to. I hit up my boi and he can grab the other g mans if u still got em		2018-10-29_10-52-38_PDT.txt	

Detail for [REDACTED]

Date	Time	Number	Type	Direction	Content	Min.	File Name	MD5 Hash
2018/10/29	10:58:00 AM PDT	510-927-5893	SMS	Incoming	A r and the g26 u locked in let me hit my boi with the sig chop see if he ready for today		2018-10-29_10-58-00_PDT.txt	
2018/10/29	11:00:46 AM PDT	510-927-5893	SMS	Outgoing	Cool. Let me know if you can get any any of those g mans so I can let my boi know		2018-10-29_11-00-46_PDT.txt	
2018/10/29	11:01:43 AM PDT	510-927-5893	SMS	Incoming	It's good ima let u know soon as he hit me back		2018-10-29_11-01-43_PDT.txt	
2018/10/29	11:01:58 AM PDT	510-927-5893	SMS	Outgoing	Coo		2018-10-29_11-01-58_PDT.txt	
2018/10/29	11:15:54 AM PDT	510-927-5893	SMS	Incoming	Locked your boi in for the g23 and g19 that's \$2500		2018-10-29_11-15-54_PDT.txt	
2018/10/29	11:18:10 AM PDT	510-927-5893	SMS	Incoming	Do u know what time u heading this way my boi get out of work at 330 can we link after		2018-10-29_11-18-10_PDT.txt	
2018/10/29	11:19:46 AM PDT	510-927-5893	SMS	Outgoing	I got the g with a switch and the a r for me. Let me know about the sig chop. I won't be in until later like 5		2018-10-29_11-19-46_PDT.txt	
2018/10/29	11:21:16 AM PDT	510-927-5893	SMS	Incoming	It's all good he still ain't hit me back he was out drinking last night probly still sleep ima let u know soon as I get word		2018-10-29_11-21-16_PDT.txt	
2018/10/29	11:22:57 AM PDT	510-927-5893	SMS	Outgoing	Cool let me know . I want to make sure my paper is right \$		2018-10-29_11-22-57_PDT.txt	
2018/10/29	03:48:56 PM PDT	510-927-5893	SMS	Outgoing	What's good . We on line to link up 5		2018-10-29_15-48-56_PDT.txt	
2018/10/29	03:51:33 PM PDT	510-927-5893	SMS	Incoming	I could only get u the g26 and the A r cuzzo catted on the sig		2018-10-29_15-51-33_PDT.txt	
2018/10/29	03:52:40 PM PDT	510-927-5893	SMS	Outgoing	That's cool what's up with the two g mans for my boi		2018-10-29_15-52-40_PDT.txt	
2018/10/29	03:53:09 PM PDT	510-927-5893	SMS	Incoming	It's good looking good too		2018-10-29_15-53-09_PDT.txt	

Detail for [REDACTED]

Date	Time	Number	Type	Direction	Content	Min.	File Name	MD5 Hash
2018/10/29	03:56:02 PM	PD1510-927-5893	SMS	Outgoing	Cool I'm coming with 32 and my boi got 25. I'll hit u when I get about 20 minutes out.		2018-10-29_15-56-02_PDT.txt	
2018/10/29	03:57:36 PM	PD1510-927-5893	SMS	Incoming	Fosho		2018-10-29_15-57-36_PDT.txt	
2018/10/29	05:05:39 PM	PD1510-927-5893	SMS	Outgoing	Sitting in traffic on 880. 20 minutes out		2018-10-29_17-05-39_PDT.txt	
2018/10/29	05:10:40 PM	PD1510-927-5893	SMS	Incoming	Coo I just hit him we should get there same time		2018-10-29_17-10-40_PDT.txt	
2018/10/29	05:23:06 PM	PD1510-927-5893	SMS	Incoming	How far out I gotta stop and pump gas real quick		2018-10-29_17-23-06_PDT.txt	
2018/10/29	05:23:13 PM	PD1510-927-5893	SMS	Outgoing	I'm here bruh. Silver BMW		2018-10-29_17-23-13_PDT.txt	
2018/10/29	05:23:32 PM	PD1510-927-5893	SMS	Incoming	Fosho		2018-10-29_17-23-32_PDT.txt	





Sending...

